

AO 440 (Rev. 06/12) Summons in a Civil Action

# UNITED STATES DISTRICT COURT

for the

Western District of New York

NICHOLAS HINCHMAN

*Plaintiff(s)*

v.

Civil Action No. 23-cv-6514

NICHOLAS PRIOLO, SCOTT JOLLY, ANDREW  
CHARVAT, TODD BAXTER, "RICHARD ROE"  
SHERIFF'S DEPUTIES 1-10 and other unidentified  
members of the Monroe County Sheriff's Office,

*Defendant(s)*

## SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* NICHOLAS PRIOLO  
130 South Plymouth Avenue  
Rochester, New York 14614

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Elliot Dolby Shields  
Roth & Roth, LLP  
192 Lexington Avenue  
Suite 802  
New York, NY 10016

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: 09/07/2023



CLERK OF COURT

*Mary Choewenguth*  
Signature of Clerk or Deputy Clerk

*Mary Choewenguth*

Civil Action No. 23-cv-6514

**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
 was received by me on *(date)* \_\_\_\_\_ .

☐ I personally served the summons on the individual at *(place)* \_\_\_\_\_  
 \_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
 \_\_\_\_\_ , a person of suitable age and discretion who resides there,  
 on *(date)* \_\_\_\_\_ , and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* \_\_\_\_\_ , who is  
 designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
 \_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

☐ I returned the summons unexecuted because \_\_\_\_\_ ; or

☐ Other *(specify)*:

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

**Print**

**Save As...**

**Reset**

UNITED STATES DISTRICT COURT

for the

Western District of New York

NICHOLAS HINCHMAN

*Plaintiff(s)*

v.

NICHOLAS PRIOLO, SCOTT JOLLY, ANDREW  
CHARVAT, TODD BAXTER, "RICHARD ROE"  
SHERIFF'S DEPUTIES 1-10 and other unidentified  
members of the Monroe County Sheriff's Office,

*Defendant(s)*

Civil Action No. 23-cv-6514

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* SCOTT JOLLY  
130 South Plymouth Avenue  
Rochester, New York 14614

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Elliot Dolby Shields  
Roth & Roth, LLP  
192 Lexington Avenue  
Suite 802  
New York, NY 10016

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: 09/07/2023



CLERK OF COURT

*Mary Choewenguth*  
Signature of Clerk or Deputy Clerk

*Mary Choewenguth*

Civil Action No. 23-cv-6514

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 was received by me on *(date)* \_\_\_\_\_ .

☐ I personally served the summons on the individual at *(place)* \_\_\_\_\_  
 \_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
 \_\_\_\_\_ , a person of suitable age and discretion who resides there,  
 on *(date)* \_\_\_\_\_ , and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* \_\_\_\_\_ , who is  
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\_\_\_\_\_  
*Server's signature*

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*Printed name and title*

\_\_\_\_\_  
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v.

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SHERIFF'S DEPUTIES 1-10 and other unidentified  
members of the Monroe County Sheriff's Office,

*Defendant(s)*

Civil Action No. 23-cv-6514

## SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Todd Baxter  
130 South Plymouth Avenue  
Rochester, New York 14614

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Elliot Dolby Shields  
Roth & Roth, LLP  
192 Lexington Avenue  
Suite 802  
New York, NY 10016

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Signature of Clerk or Deputy Clerk

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☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
 \_\_\_\_\_, a person of suitable age and discretion who resides there,  
 on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* \_\_\_\_\_, who is  
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Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

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